

# **THE NEVADA STATE BOARD OF COSMETOLOGY**

## **MINUTES OF MEETING DATED APRIL 18, 2005**

The meeting of the Nevada State Board of Cosmetology is called to order by DAVID AUSTIN at 9:08a.m. on Monday, April 18, 2005 at Nevada State Board of Cosmetology branch office located at: 4600 Kietzke Lane, Building 1, Suite 200, Reno, NV 89502

### **Present are:**

David Austin Board Chairman	Mireille Alfa Board Member
E. Lavonne Lewis Vice Chairman	Gloria Alexander Secretary/Treasurer
Linda Zesiger Board Member	Agnes Orozco Board Member
Kara Lamb Board Member	

### **Also present are:**

Jesse Wadhams  
Attorney General

Mila Ortiz-Brothers  
Board Secretary

1. Consideration and approval of the Agenda and its posting.  
Move to approve by Gloria Alexander  
Seconded by Linda Zesiger
2. Consideration and approval of Meeting Minutes for February 14, 2005 Board Meeting.
  - A. Much clearer format (outline)
  - B. Easier to readMove to approve by E. Lavonne Lewis  
Seconded by Agnes Orozco
3. Consideration and approval of the Treasurer Report for the month of January.
  - A. Report not accepted
  - B. Overtures need to be investigated
  - C. Previous management did not reconcile accounts properly
  - D. Secretary/Treasurer to review and re-submitMove to table report until next meeting – Gloria Alexander  
Seconded by Agnes Orozco

4. Consideration and approval of the Report of the Board Secretary – Mila Ortiz-Brothers.
- A. **Human Resources**
    - a. HR files have been audited.
    - b. PERS
      - 1. Employees are eligible from day one – this has not been done.
      - 2. Monthly reporting has been sent in incorrectly – meeting with Cindy Yadon from PERS to resolve.
  - B. **Accounting**
    - a. Audited QuickBooks accounts
      - 1. Outdated accounting records
      - 2. Accounts have not been reconciled properly
      - 3. Wrong information has been given to our accountants
      - 4. Transfers and Credit Card transactions were only listed sporadically in the register in QB.
      - 5. Met with Gloria from JL Accountants to confirm responsibilities of JL vs. ADP (Payroll provider).
  - C. **ADP and QuickBooks**
    - a. Payroll (ADP) and accounting software (QuickBooks) are not integrated nor being used to their full potential.
    - b. All transactions need to be entered directly into QuickBooks vs. Excel Spreadsheets.
    - c. Need to make ADP work for us or switch vendors.
  - D. **POS System and Cash Register**
    - a. These two receivables systems are not integrated in any way so that receivables are difficult to verify.
    - b. Integrate all receivables into one system and establish internal controls to make sure they are verified appropriately.
  - E. **Inspection Department**
    - a. Instituted mechanisms to assess the efficiency of the Inspection Department.
      - 1. Weekly Activity Sheets
      - 2. Inspection Reports
      - 3. Mileage Sheets
    - b. Inspectors do an excessive amount of paperwork. Need to automate and streamline processes.
  - F. **Front Office**
    - a. Most staff members are skilled and motivated.

- b. Processes are antiquated and involved excessive paperwork.
  - 1. Record Books
    - \* Date back to 1931
    - \* falling apart at the seams
    - \* Data is not secure in any way
- c. Solution
  - 1. Create Access Database for the record books.
  - 2. Backup data on server to safe guard.

**G. Web Portal**

- a. Current site is difficult to navigate – not user friendly.
  - 1. Simplify current design
  - 2. Stress content over design
  - 3. Make site interactive
  - 4. Mimic “official” look of State of Nevada website
- b. All web update and design work is included in our contract with DOIT – we need to use it!

**H. Overall Assessment**

- a. Office moral is fairly positive
- b. Many processes can be automated
- c. Personnel will continue to be assessed to determine need and efficiency of current staff.
- d. Operational changes will help the organization to grow and move forward.

**5. Discussion and ratification of Executive Director vs. Executive Secretary.  
Move item #6 up to now – per David Austin.**

- a. Per David Austin – Mila has done an amazing job so let’s discuss changing her position. Also, what is the clarification on the title Executive Director vs. Executive Secretary?
- b. Per E. LaVonne Lewis and Linda Zesiger Mila has had over 15 years experience doing needs analysis and process implementations. She has shown that she is not only up for the job but holds expertise in many of the areas that we are seeking. She listens to the staff as well as implements strong processes. I vote that we appoint Mila as our Executive Secretary (to be changed to Executive Director on July 1 when the new Regs pass).
- c. Per Jesse Wadhams, AG - We can use the Executive Director title as long as we understand that it refers to the position currently known as “Executive Secretary”. When the regulations are adopted July 1 – the Executive Director title will be official but we can designate all the same authority and duties to her now...as the Executive Secretary.
- d. Brief discussions between Gloria and Mireille regarding Mila’s position.

**MOVE TO APPOINT MILA EXECUTIVE SECRETARY (TO BE DIRECTOR JULY 1) CURRENTLY IN THE REGS AS EXECUTIVE SECRETARY WITH A MINIMUM SALARY OF 60,000 PER YEAR By E. Lavonne Lewis.**

**SECONDED BY Agnes Orozco**

- c. **ADDITIONAL AUTHORITIES ASSIGNED:** Mila has the authority to hire and fire and run the office as she sees fit – she has full authority.  
**CONCURRED BY THE BOARD.** Titles and number of positions are determined by the board.

10 MINUTE BREAK

Meeting called back to order.

Go Back to Item #4

**MOTION TO ACCEPT EXECUTIVE SECRETARY/DIRECTOR REPORT - Gloria Alexander**

**SECONDED BY E. Lavonne Lewis  
PASSED**

6. **Discussion and action on request of school application for DESTINATION ACADEMY FOR SPA AND SALON PROFESSIONALS – Gary Waysack**

- a. David Austin abstained from the vote as a school representative.
- b. Proposal looked complete and acceptable (E. LaVonne Lewis and David Austin)
- c. Plans to Open Sept 1<sup>st</sup>.
- d. Surety Bonds included as well as full application packet.

**MOVE TO APPROVE APPLICATION FOR DESTINATION ACADEMY FOR SPA & SALON PROFESSIONALS – E. Lavonne Lewis**

**SECONDED BY Kara Lamb**

**PASSED**

7. **Testing -** Discussion and possible action on prior Board decision to award testing contract to Thomson Prometric, N.I.C. and/or Promissor.

**Possible Action.**

- a. **Scheduling** - Per Linda Zesiger; many of the problems we have with the testingscheduling come from Experior – and right now they are not being cooperative with us, at all. Even though we considered extending our contract with them for an additional 90-days – they have become very uncooperative, maybe they feel we are looking somewhere else (for a testing vendor).

Per Gloria Alexander: NIC is a good contender at this time due to the fact that we can administer our own test and do our own scheduling.

Per Linda – it's better to test everything in ONE day (Practical and Written).

The process of the students scheduling their own tests needs to be reviewed.

- b. **Staffing** - Coordinators will need to be hired in the event that we do administer our own test.

If Nadine is interested in moving into the Testing Coordination position, perhaps with an Assistant – we can move her into that.

- c. **Cost & Space Requirements** - We could test approximately 120-200/month in our existing room (at the board office).

Currently it costs us approx. \$20,000 per month. We need to move on this. Experior is telling our Spanish candidates that there is NO Spanish test this is a violation of our Spanish statute.

There are times that 1-3 students are being tested per session. This is not enough students and we have to pay for a full session.

Need to review our cost vs. our fees.

Per LaVonne we'd like to see the actual cost per student by taking the testing company's fees along with our Raters Salaries and the testing coordinators salaries.

- d. **Reno** - location will need to be determined (for Practical) unless they have to travel to Las Vegas.

Carson City Beauty Academy said that it was not fair to require Northern candidates to travel to Las Vegas.. David and the Board concurred.

- e. **Time line** - In the next few weeks (by May 18<sup>th</sup>) a final decision or a temporary solution needs to be solidified..

**Experior** won't extend us for a temporary time-frame only for one full year.

Phone conference needs to be had regarding this.

Per Gloria – how soon can we have a conference call on this?

Time and Date for call was set (*at least five days notice is needed – per Jesse*).

**CONFERENCE CALL SCHEDULED for Tuesday, April 25<sup>th</sup>, at 9:00am.**

**ITEM TABLED UNTIL FURTHER DISCUSSION IS HELD.**

DAVID ASKED IF ANYONE WAS PRESENT THAT WAS SCHEDULED FOR FURTHER DOWN ON THE AGENDA.

MARCIA FIALDINI CAME FORWARD

PER DAVID - LET'S MOVE TO ITEM #10

8. **DVD Series**

- a. Marcia Fialdini: Requesting approval for five 1 HOUR DVD series for CEUs (Cosmo Instructors) – Requesting 15 CEUs.

Ms. Fialdini was an Educational Director for several schools and states she has the training and experience necessary to provide this sort of training.

Ms. Fialdini says she faxed a resume to Mary Jo Grady. This was not received by any board members or the director from Ms. Grady.

Per DAVID – how do you verify that the person is actually taking the test themselves versus someone taking the test for them?

Ms. Fialdini says the likelihood of that happening is very low. This could happen in any type of class not just DVD classes.

- d. **Sample requested** - Per David – we would need to see some sort of sample DVD to even consider this.

Ms. Fialdini states that 15 CEUs would be fair since its five hours of DVD plus homework.

Per Mila – just from an outside perspective and working *for* the board – I would think the board would need to see the actual product and see the quality of what’s being taught to be able to assign a value to it.

Concurred by E. Lavonne Lewis.

- e. **Cost** - Per Ms. Fialdini – the cost to professionally produce a DVD like this is roughly \$500 so I wanted to see if the board would approve it before going thru the expense.

Per David - Going by the information at hand – I would say maybe FIVE CEUs.

Per Kara Lamb – I would like to see the product and the associated testing. I’m sorry about the expense but to start a business you’re going to have to invest something into it.

- d. **CEUs ?** Ms. Fialdini asked if she sent the DVD and it was accepted how many CEUs would be given.

Per the board anywhere from 5-10 CEUs would be considered.

Ms. Fialdini was asked to produce one sample DVD with all the corresponding homework/testing to Mila to be considered by the board.

**TABLED PENDING MS. FIALDINI’S PRODUCTION OF THE PRODUCT BEING CONSIDERED FOR CEUS.**

9. **MOVE TO NEW BUSINESS – BUZZ HARRIS – LOBBYIST – LEGISLATIVE UPDATE**

Buzz Harris introduced himself and provided brief legislative summary.

Buzz discussed deadlines and legislative voting processes.

- a. **SB 333 and SB 335** were discussed. SB 335 is regarding our fees, and some barbering items. Buzz made some vague statements regarding board jurisdictions over barbers, massage therapists.

- b. **AB 496** is a “Resort Bill” that will allow restricted licenses to be given out for a seven-day period of time to cosmetologists.

David elaborated on this bill. The Resorts want to bring people in from out of state to work for seven-day periods without having to be tested or licensed in Nevada. And it’s what, 10 times per year? (asking Buzz).

Buzz stated that it was actually “unlimited.” Buzz said well in all fairness so we don’t end up with too much of a challenge on this bill (from our board), the reason they (Resorts) are pushing this bill is because they already have a significant amount of regulations on them.

**The board expressed their displeasure regarding this bill.**

Buzz interrupted and stated that the bill will probably pass. Though the senate is not fond of giving temporary licenses.

Per David and the board – the industry can write letters and let the senate know how they feel about it.

Per Buzz you can do that if you like – that’s your option.

There were about four bills that dealt with some administrative things – such as Open Meeting Laws. Not many significant changes in there.

That’s about it. Per Buzz.

E. Lavonne Lewis asked what about the bill that proposed that all state agencies were going to have to conduct hearings?

Buzz said he would get to that as he worked through his list.

Permanent cosmetics bill will NOT go under this board as previously thought.

- c. **AB 250** – deals with Massage Therapists. They are trying to get their own board.
- d. **SB 163 and 276** are regarding all licensing boards. 163 deals with uniform administrative procedures for all boards. 276 asks for a uniform hearing process for all boards with the exception of a few boards. Should only be a few technical things that will change.



David asked for copies of report for all attendees.

Per Buzz this report is hard to read because it's in legislative "shorthand".

10 MINUTE BREAK (3:33pm)

10. **PER DAVID MOVE TO ITEM #11 – ELECTION OF BOARD OFFICERS TO TAKE EFFECT JULY 1<sup>ST</sup>.**

Per Linda – I'd like to keep the officers the same. I think everyone is doing a great job.

Per Jesse elections needs to be done by office.

Any objections or discussion? None.

Per E. Lavonne Lewis – let's make a motion for each office.

**MOTION TO VOTE FOR DAVID AUSTIN AS CHAIRMAN FOR THE NEXT YEAR. MADE BY Linda Zesiger**

**SECONDED BY Agnes Orozco**

**MOTION PASSED**

**MOTION MADE TO VOTE FOR E. Lavonne Lewis AS VICE CHAIRMAN FOR THE NEXT YEAR. EFFECTIVE JULY 1<sup>ST</sup>, 2005 MADE BY Linda Zesiger**

**SECONDED BY David Austin**

**MOTION PASSED**

**MOTION MADE TO VOTE FOR Gloria Alexander AS SECRETARY/TREASURER FOR THE NEXT YEAR. EFFECTIVE JULY 1<sup>ST</sup>, 2005. MADE BY E. Lavonne Lewis**

**SECONDED BY David Austin**

**MOTION PASSED.**

BREAK FOR LUNCH 11:30pm to return by 1:30pm

RETURN FROM LUNCH 1:30pm

Call for Jeffrey Wade – No Answer

**Item #10, C** – Let's address this now.

**Item #8** – had to be postponed due to improper notice. Also, Ms. Purification's contact information was incorrect and the office was not able to get a hold of her.

Call for Sherry Pearce – No Answer

11. Sherry Pearce: Requesting clarification of **NRS 644:395** as it pertains to P.I.L. Also explanation as it pertains to students and **NAC 644:140**.

- a. **644:395** - Question is can TWO PILs count as ONE licensed instructor? Per Ms. Pearce – under 395 of the NRS, it states that you must have TWO licensed instructors present at teaching. But then it says that PILs are considered instructors for the purpose of this section. So that was my question.

Ms. Pearce came forward.

- b. **Per the statute** – you have to have ONE licensed Instructor for every TWO PILs.

According to Ms. Pearce – but it states that PILs are considered instructors for the purpose of this section.

As it reads – per David and Jesse – it appears that PILs ARE considered instructors for the purpose of this. Though I don't recommend it be done – the quality of the education may suffer but as it reads it is legal.

***You need to have at least ONE fully licensed instructor present as the supervisor in the school at all times in addition to your PILs. Per AG, Jesse Wadhams.***

- c. **NAC 644:140** - Regarding NAC 644:140 my feeling is that students should have a part in the retail sales since it's pertinent to their job. Per David there are some changes on this pending.

12. **MOVING TO JEFFREY WADE – ITEM #10B**, Requesting to test for Instructor License with a certification only. (ref. **NRS 644:195. REF NRS 644.196, NRS 644.310.**

Mr. Wade brought in all his paperwork and mentioned that instructors are no longer licensed in California and showed the board his school hours.

PER DAVID – I HAVE NO PROBLEM WITH HIM SITTING FOR THE TEST.

**MOTION MADE TO ALLOW MR. WADE TO SIT FOR THE INSTRUCTOR'S EXAM. Made by Gloria Alexander**

**SECONDED BY Linda Zesiger**

**MOTION PASSED**

Mr. Wade will make the arrangements with Chris Cooke in Reno so that Mr. Wade can fill it out and mail this application to Las Vegas.

13. David called for Charla De Barnes – No Answer.  
David called for Deloux School of Beauty – Sherry Pearce came forward. Give 10 more minutes to Ms. DelBarnes.

14. **MOVE TO NEW BUSINESS**

**Ms. Agnes Orozco** – made formal resignation from the board effective April 19<sup>th</sup>, 2005 due to new job with Farouk Hair.

**RESIGNATION ACCEPTED WITH REGRET.**

15. **David called for Victoria Purification.** Ms. Purification came forward.

**Notice did not go out in time – this matter needs to be tabled with our apologies. We were unable to get a hold of you to let you know.**

Ms. Purification updated her information and asked to be seen at the next RENO board meeting.

16. **David called for Charla DelBarnes – No Answer** – five more minutes. Any new business or public comment?

FIVE MINUTE BREAK

17. a. **2:15pm - David called for Charla DelBarnes – No Answer**
- b. **David called for Deloux School of Beauty** – Sherry Pearce came forward.

Ms. Pearce was SWORN IN by David Austin.

**Per Jesse Wadhams – this case must be dismissed with prejudice due to Ms. DelBarnes absence.**

Ms. DelBarnes has not been in the school for over a month – do we have the right to withdraw her? She is far past her graduation date and has violated her contract.

Board can not get involved in school policies.

- c. **MOTION MADE TO DISMISS CASE FORMAL HEARING C-04-119 WITH PREJUDICE. – Made by E. Lavonne Lewis**

**SECONDED BY Kara Lamb**

- d. .David further explained that “with prejudice” means Ms. DelBarnes **can not re-petition the board regarding this matter.**

18. **MOTION MADE TO ADJOURN – made by Kara Lamb – 2:25pm**

**Seconded by Linda Zesiger**

**MOTION PASSED**